

**INLAND AND WETLANDS COMMISSION  
PUBLIC HEARING  
AUGUST 6, 2014  
PROPOSED DEMOLITION OF EXISTING BUILDING AND  
CONSTRUCTION OF A 4500 sf RETAIL BUILDING AND GAS PUMPS  
AND EXCAVATION OF MORE THAN 350 CUBIC YARDS  
AT 42 PROSPECT ST (IW#14-02 & 14-06)  
APPLICANTS: REMZI AND VESEL NASUFI**

Mary Davis called this public hearing to order at 6:15 PM with the following in attendance:

**MEMBERS:**

Mary Davis, Chair  
Sally MacKenzie, Secretary  
Marcia Puc  
Tracy DeBarber  
Mark Bakstis  
Lars Johnson, Alternate, Absent

**OTHER:**

Wayne Zirolli, Borough Engineer  
Sue Goggin, Secretary  
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Mary stated for the record that they have a complete application. Attorney Michael McVerry explained this application deals with property located at 42, 46, 48 Prospect Street and 0 Golden Hill St. He noted this application has been before the Commission for the past several months. He stated that 42 Prospect St is a multi-family house, 46 Prospect St. is Vinny's Pizza and 48 Prospect St is the vacant parking lot. He noted that 0 Golden Hill St. is currently owned by Saint Hedwig's Polish Roman Catholic Church, but is under contract with Mike Hines for purchase. He said the total property consists of .8 acres. He said they are proposing to demolition the 2 buildings. He reviewed the plans with the Commission. He noted Fulling Mill Brook is located across the street with no wetlands directly on the site. Mr. McVerry said they did receive comments from Wayne Zirolli dated the 28<sup>th</sup>; and the plans they have tonight are in response to those.

Steve Pustola, PE reviewed the erosion and sedimentation controls with the Commission. He noted during excavation they will provide silt fence and hay bales. They are proposing a silt sack on top of the catch basins to help control sediment, as well as a construction entrance. He stated they have increased the quality of the drainage. They are proposing an oil/water separator. He explained the safety features of the proposed equipment and pumps. He noted there will be a ribbed cement moat surrounding the gas pumps. Mr. Zirolli noted the proposed entrances are higher than the parking area, so any storm water runoff will be contained to the site. Tracy DeBarber asked if there was a spill in the ribbed area, how it would get drained, and if it overflowed, where that would it go. Mr. Pustola stated the trained staff will address a spill, and there will be a type of vortex with an oil/water separator with a chamber that will hold fluids. Wayne Zirolli felt he made the additions to the plans that he requested.

There was discussion on the amount of material being removed from the site. Mr. Pustola thought there would be around 10 truckloads of material a day removed.

Marcia Puc asked about replacing the existing sidewalks. Mr. Pustola said they would be extended and replaced.

Mary Davis suggested they consider putting double rows of hay bales and silt fences because it is a high traffic area.

Wayne stated that all existing sidewalks and catch basins will need to be replaced.

There was no Public Comment.

Mary Davis noted at the last meeting they made a finding that this application was a significant activity, and therefore the applicant should provide them with alternate plans. She asked if they had any alternate plans. Mr. Pustola said there are no other plans or ways he feels there can be changes to the soil and sedimentation controls. Attorney McVerry said there really isn't any alternative for what is being proposed. None of the Commissioners had any alternative plan ideas. Mrs. Davis felt that everything they had asked for had been added. She closed the Public Hearing.

**AUGUST 6, 2014**

**APPLICATION FOR TWO PROPOSED HOUSES AND SEWER  
CONNECTIONS WITHIN THE 100' UPLAND REVIEW AREA ON LOTS  
W-12 & W-13  
ON RUBBER AVENUE (IW#14-04)  
APPLICANT: VIEWS AT LONG MEADOW BROOK**

Mary Davis called this public hearing to order at 6:30 PM with the following in attendance:

**MEMBERS:**

Mary Davis, Chair  
Sally MacKenzie, Secretary  
Marcia Puc  
Tracy DeBarber  
Mark Bakstis  
Lars Johnson, Alternate, Absent

**OTHER:**

Wayne Zirolli, Borough Engineer  
Sue Goggin, Secretary  
Public - 2

Mary noted for the record that they have a complete application.

Alex Shepard, PE, with an office at 415 Howe Avenue, Shelton CT representing the applicant explained that there are 2 lots on Rubber Avenue that need to connect to the sewer line which would go through Long Meadow Brook meadow. He explained the proposed plan. They are proposing combining the 2 lines together. He stated there will not be a lot of disturbance to the wetlands. He said the work will be done with small machines. They will only be going down about 4 ft in the wetland area.

Mary Davis noted this was a significant activity and asked if the applicant came up with an alternate plan. Mr. Shepard stated they could run one of the laterals through the river and one to the side lot of another property with an easement. Mary Davis suggested an alternate plan, because it is in a flood plain, where they combine the two lots and make one larger home and install a septic system instead of disturbing the wetlands. Mr. Shepard noted the pipe that will run through the wetland will be run through a sleeve for added protection to the wetlands. He said that if he went with only building one house, he would still prefer to have sewer lines installed, because then you have to deal with a septic system near the wetland area. He said there would need to be more grading in the back of the lot as well. There was a discussion regarding the easement that would need to be issued. There was a discussion over the number of clean outs there would be. Wayne Zirolli noted that it is required by State code for there to be a clean out every 75ft.

**Public Comment:**

Joe Cavallaro, 1131 Rubber Avenue, asked whether the sewer line would affect their property. Mary Davis stated they would not be digging on their property.

Mary Davis said she would like to see an alternative for just the one lot, instead of two. She said she would hate to see any further disturbance to those wetlands.

Roger Spinelli explained why installing a septic system wasn't a practical choice. He stated that some towns have a regulation that if you are within a certain amount of feet to a sewer line you are required to connect to it. Wayne Zirolli said that WPCA and Valley Health do require a connection if you are within 200ft of sewer line. He stated it is in a R30 Zone which also requires a connection per the Zoning Regulations.

Mary Davis closed the Public Hearing.

**INLAND AND WETLANDS COMMISSION  
REGULAR MEETING  
AUGUST 6, 2014**

Mary Davis called this meeting to order at 6:10 PM with the following in attendance:

**MEMBERS:**

Mary Davis, Chair  
Sally MacKenzie, Secretary  
Marcia Puc  
Tracy DeBarber  
Mark Bakstis  
Lars Johnson, Alternate, Absent

**OTHER:**

Wayne Zirolli, Borough Engineer  
Sue Goggin, Secretary  
Public - 2

1. Mary Davis called this meeting to order at 6:10 P.M. She noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. Executive session with Borough Attorney.  
There was no executive session.
3. Public comment.  
There was no public comment.

4. **OLD BUSINESS**

A. Long Meadow Pond Brook ERT Study

Mary said this item is postponed temporarily due to lack of staffing. They will keep this on the agenda.

B. Commission discussion regarding an existing Commercial Outdoor Automobile Storage (IW#14-01) located at the Risdon Property, Arch Street, Scott Road, Andrew Avenue and Rubber Avenue; Applicant: A Better Way Wholesale Auto.

Mary Davis read Wayne Zirolli's report into the record. There was a discussion over the size of the booms. Mr. Zirolli said he felt they should be fine. He noted the site is stable. He said he will follow up with them and make sure the inserts are installed. There was a discussion over where they are parking the cars.

C. Commission discussion/decision regarding special permit for demolition of existing buildings and construction of a 4500 sq. ft. retail building and gas pumps located at 42-48 Prospect Street (IW #14-02) and special permit for earth excavation of more than 350 cu yds at same location (IW #14-06); Applicants: Remzi & Vesel Nasuf.

Mary Davis stated that everything they asked for was taken care of. Mark Bakstis suggested putting a time frame on the excavation.

The Commission discussed the following applications.

**VOTED:** Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **APPROVE** IW #14-02 with the following conditions:

1. Excavation of material, from the beginning of the construction should be completed within 60 days,
2. No washing of tailings from cement trucks, or other vehicles on the site, into the storm sewers or anywhere near a wetland or brook,
3. Maintenance schedule for hydrodynamic separator to be cleaned out periodically and inspected monthly per manufacturer printed guidelines and after any major weather events. Reports of inspections should be sent to the Land Use Department after each inspection,
4. And the general conditions of the IWC regulations.

**VOTED:** Unanimously on a motion by Sally MacKenzie and seconded by Tracy DeBarber to **APPROVE** IW #14-06 with the following conditions:

1. Truck tires are properly cleaned before leaving site during excavation,
2. Excavation of materials be done within 30 days or 60 days, if absolutely necessary, from the beginning,
3. And the general conditions of the IWC regulations.

- D. Commission discussion/decision for two proposed houses and sewer connections within the 100' Upland Review Area on Lot W-12 and Lot W-13 on Rubber Avenue (IW #14-04); Applicant: The Views at Long Meadow Brook

There was no discussion. This will stay on the agenda for next month.

- E. Commission discussion/decision regarding special permit for building addition to existing Metro Mart with additional drainage and grading located at 1419 New Haven Road (IW #14-08); Applicant: MNA Property Holding, LLC

Steve Pustola, P.E. reviewed the plan with the Commission. Mary Davis noted that this was a complete application. She stated she has a concern over the existing drainage pipe. She felt the area needed some protection because it is an intermittent watercourse, and suggested a low stone wall. Mr. Zirolli suggested it be in the back of the parking lot. Mrs. Davis asked about having signs identifying that it as a conservation area for the 100ft buffer area. The Commission agreed it was a good idea. Sally MacKenzie suggested putting rip rap at the opening of the existing pipe.

**VOTED:** 3-0-2 on a motion by Marcia Puc and seconded by Sally MacKenzie that activities regarding IW #14-08 for an addition would not have a significant impact because the only wetland on the property is intermittent, manmade and outside of the 100' Upland Review Area.

**FOR**

Mary Davis  
Sally MacKenzie  
Marcia Puc

**AGAINST**

**ABSTAIN**

Mark Bakstis  
Tracy DeBarber

Mark and Tracy abstained because they were not present for the site walk.

5. **NEW BUSINESS**

- A. **VOTED:** Unanimously on a motion by Marcia Puc and seconded by Mark Bakstis to **ADD** the Eagle Scout Project to replace a bridge at Baummer's Pond.

Sue Goggin explained that Charles Fogey submitted a request to replace a bridge at Baummer's Pond. She read his letter into the record which explained what he was planning on doing. She also submitted photographs into the record, showing which bridge he would like to replace. Mary Davis felt it was admirable that he wants to do this. Sue stated that there will be adult supervision, as well as supervision by James Stewart, Director of Public Works. She also noted the bridge will be built off site. Wayne Zirolli said he will have to provide sketches for the project and make sure that the carrying beams are the proper size for the bridge. Mary Davis said he will have to fill out a complete application. She said they would waive the application fee.

6. **CORRESPONDENCE**

There was no correspondence.

7. **WEO REPORT**

- A. Autohaus Property, 393 Rubber Avenue (IW #08-08)

Sue Goggin stated they did find someone to become a Wetlands Commission hearing officer, Joe Savarese. He said he just needs to be appointed by the mayor and then they will be able to start citation hearings for not finishing their wetlands permit.

- B. Dmuchowski Property, 45 High Street

Mary Davis stated this item will remain on the agenda. Wayne Zirolli said the property is in the process of being sold and they have spoken with the interested buyers regarding the drainage problems and they will be looking into what is necessary to remediate that.

- C. Naugatuck HS Renovation (IW#12-04)

Sue Goggin stated that she and Wayne visited the site last week and everything looks good. She noted the rain gardens are filling in and that there is grass growing. They will be setting up a site visit with Mary on August 19, 2014. Mary Davis noted that anyone else on the Commission was welcome to come. Sally MacKenzie said she noticed the other day in passing there was a lot of dirt on the road from the trucks entering and exiting the site and asked if they had an anti-tracking pad. Mr. Zirolli said they had, but they may need to refresh it or install additional.

D. 1177 New Haven Road (IW#12-01)

Sue Goggin noted that she made a visit yesterday with Wayne Zirolli. She presented the Commission with photographs of the new guard rail that was installed at the Commission's request. She stated the paving is done, but there is still a little more work to be done. She spoke with the engineer today and he ensured her the screening will go up on the guardrail. She said they will get a final as-built from them within the next couple of weeks.

E. Pondview Estates (IW#05-09)

Mary Davis noted this item was going to be removed from the agenda, but she noticed the silt fence still exists. Mrs. Goggin said they stopped at the site yesterday and it appeared to be stabilized, but they do need to be notified about taking the silt fence down. Mary Davis said this can be removed off the agenda for the next meeting. Mr. Zirolli said he will send a letter notifying Mr. Pereira that he can remove the erosion control

F. Risdon Property (IW #14-01)

Mary Davis stated that on July 18, 2014 she and Sue Goggin did a site walk on the Risdon property. During the site walk, it was noted that a stone swale was installed which was not what was requested. She asked that they place mulch and seed on the exposed bank. She noted that Wayne reported on the activity and felt it was acceptable.

8. **Review/Approval** of July 2, 2014 Regular Meeting Minutes and July 9, 2014 Site Walk Minutes.

**VOTED:** Unanimously on a motion by Marcia Puc and seconded by Mark Bakstis to **APPROVE** the 2014 Regular Meeting Minutes with changes. Tracy DeBarber Abstained.

**VOTED:** Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the July 9, 2014 Site Walk Minutes (IW#14-04). Mark Bakstis Abstained.

**VOTED:** Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the July 9, 2014 Site Walk Minutes (IW#14-08). Mark Bakstis and Tracy DeBarber Abstained.

9. **ADMINISTRATIVE BUSINESS**

Mary Davis reported that the Street Department has been spraying chemicals to kill brush on the side of the roads instead of cutting. She is concerned about it being sprayed around the brooks. Marcia Puc noted dead brush on Field Street by the Milestone. Mark Bakstis said it's being used throughout the state, to kill the bamboo. Mrs. Davis questioned what type of chemical they were spraying. She is going to check with Jim Stewart or Bob Roland and report back. She asked for this to be put on next month's agenda.

Mary Davis mentioned she read an article in the Waterbury Republican Newspaper regarding new storm water plans. She read parts of the article to the Commission.

There was a discussion regarding the New Haven Rd property with the trailers on the right hand side that was noticed during the site walk. Sue stated they are listed on plans as being encroaching. She said she will send them a letter.

10. **ADJOURNMENT**

**VOTED:** Unanimously on a motion by Tracy DeBarber and seconded by Sally MacKenzie to **ADJOURN** the meeting at 9:15 P.M.

Respectfully Submitted,  
Sally MacKenzie, Secretary /rp